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SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1950

No. 384

STANDARD OIL COMPANY,

Appellant,

vs.

THE STATE OF NEW JERSEY, BY THEODORE D. PARSONS, ATTORNEY GENERAL OF THE STATE OF NEW JERSEY

APPEAL FROM THE SUPREME COURT OF THE STATE OF NEW JERSEY

STATEMENT OPPOSING JURISDICTION AND MOTION TO DISMISS OR AFFIRM

THEODORE D. PARSONS,
Attorney General of New Jersey,
EMERSON RICHARDS,
Deputy Attorney General of New Jersey.

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SUPREME COURT OF NEW JERSEY

SEPTEMBER TERM, 1949

No. A-134. Appeal Docket No. 455

THE STATE OF NEW JERSEY, BY THEODORE D. PARSONS, ATTORNEY GENERAL OF THE STATE OF NEW JERSEY,

Plaintiff-Appellee,

vs.

STANDARD OIL COMPANY,

Defendant-Appellant

CIVIL ACTION

ON PETITION FOR APPEAL FROM THE SUPREME COURT OF NEW JERSEY TO THE SUPREME COURT OF THE UNITED STATES

STATEMENT IN OPPOSITION TO APPELLANT'S STATEMENT OF JURISDICTION

Nature of the Case

The statute of the State of New Jersey (Chapter 155, P. L. 1946, page 713, as amended by Chapter 357, P. L. 1947, page 1157, N. J. R. S. 2:53-15, et seq.) set forth verbatim in

Appellant's "Statement in Support of Jurisdiction," pages 2 to 9, inclusive, provides, in Section 3, that whenever the owner or beneficial owner of, or person entitled to, any personal property within the State, has been or shall be and remain unknown for the period of fourteen successive years, or whenever the whereabouts of such owner, beneficial owner or person entitled has been or shall be and remain unknown for the period of fourteen successive years, or whenever any personal property has been or shall remain unclaimed for fourteen successive years, then such property shall escheat to the State of New Jersey.

The statute provides a complete procedure for the escheat of such property under the jurisdiction of the Chancery Court (now Chancery Division of the Superior Court). This procedure provides for the filing of a bill against the possessor of the escheatable property, an answer disclosing the nature of the property; a hearing before the court to determine the rights of all of the parties, a decree settling these rights, and the escheat of such property as may be escheatable; and the provision that the decree may be opened at any time within two years upon a showing that property has been escheated without the knowledge of the owner. The hearing before the court is, as to the unknown parties, upon notice by publication in a newspaper of general circulation in New Jersey.

After the escheat statute became effective, the State of New Jersey instituted proceedings under the statute, in the Court of Chancery, at Trenton, New Jersey. The state filed a petition in the said proceedings, setting forth, inter alia, that the defendant was a corporation organized under the laws of the State of New Jersey and had its registered office at Flemington, New Jersey; that certain shares of the capital stock of the company and certain of the dividends declared by the company had been unclaimed for fourteen

successive years; that the whereabouts of the owners or beneficial owners of, or persons entitled to, such shares of stock and such dividends had been unknown for fourteen successive years, and that under the provisions of the escheat statute, such shares of stock and dividends escheated to the State of New Jersey.

A copy of the petition was served upon the defendant, which filed an answer, denying that such property was subject to escheat to the State of New Jersey, and setting forth a number of defenses. The defendant later filed an Amended Answer, setting forth additional defenses.

At a pre-trial conference, the Chancery Division of the Superior Court of New Jersey, to which, under the new Constitution of New Jersey, the jurisdiction of the Court of Chancery and of cases pending therein, were transferred, fixed a preliminary hearing, the purpose of which was, as Judge Jayne, presiding, stated "to debate • • • the controversial points essentially of a legal character in their abstract form." Pursuant to an order of the court, notice of the time and place of the preliminary hearing was published once a week for three (3) successive weeks.

The preliminary hearing was held and the court then filed "Conclusions on the Submission of Certain Legal Issues for Determination."

Thereafter, on March 21, 1949, the court entered an "Order Fixing Time and Place of Final Hearing." In this order the court ordered that "notice of the time and place of final hearing be given by petitioner, in accordance with the provisions of R. S. 2:53-21, by advertising in a newspaper of general circulation in Mercer County once a week for three successive weeks, addressed to and containing the names and addresses of the persons or corporations apparently having unclaimed beneficial interest in, or ownership of, the personal property sought to be adjudged to the State

in this cause, and directing that any of the said persons or corporations claiming a beneficial interest in, or ownership of, the personal property or any part of the personal property mentioned in the petition, shall file with the Court his or its claim in writing, at least five (5) days prior to the date fixed for the hearing * * *."

Notice was published, as required by the order, of the time and place of final hearing on the petition for escheat. The notice listed all of the dividends and shares of stock covered by the judgment later entered below, and contained the name and last known address of every person apparently having a beneficial interest in, or ownership of, such unclaimed dividends or stock, and also set forth, opposite each person's name and last known address, the amount of his unclaimed dividends and/or the number of shares of stock. The notice directed that any of the said persons or any other person claiming a beneficial interest in such property file his claim, in writing, with the Court, at least five (5) days before the time fixed for hearing. The said notice also set forth that the petition itself was on file in the office of the clerk of the court and was open to examination.

No person filed a claim with the court as to any of the said dividends or shares of stock. At the time and place fixed for hearing, the plaintiff and defendant appeared. No other person claiming to be entitled to any of the said property appeared.

On December 8, 1949, the Court entered its Final Judgment, by which it was ordered, adjudged and decreed that the said dividends and shares of stock were escheated to the State of New Jersey.

The New Jersey statute, Sec. 10 (Appellant's Statement in Support of Jurisdiction, page 7), provides that any decree entered pursuant to the statute shall operate as a full, absolute and unconditional release and discharge of the

appellant from any and all claims, demands or liability to any person whatever other than the State Treasurer with respect to the escheated property, and that such decree may be pleaded as an absolute bar to any action brought against the appellant with respect to the escheated property by any person other than the State Treasurer.

Section 17 of the statute (Referred to as Section 18 in Appellant's Statement in Support of Jurisdiction, page 8), provides that any claimant may, within two (2) years after the filing of the final decree in the Court of Chancery, apply to the said Court of Chancery to reopen the decree, and upon full proof of lack of actual knowledge of the escheat proceedings, and proof of ownership, the court may reopen the decree and revise it in whole or in part, and direct the State Treasurer to repay to the party entitled to the same, his part of the money received by the State Treasurer by reason of the decree, after deducting therefrom all expenses and charges that may have accrued or been paid out by reason of the original decree.

Grounds of Appeal Set Up by Appellant

The appellant has set forth the following grounds upon which it contends that the questions involved are substantial:

1. That the notice prescribed by the statute and the procedure therein provided did not afford to claimants adequate notice of the time, place and purpose of hearing and an opportunity to be heard, and that the statute, therefore, violated the due process clause of the Constitution of the United States.

2. That the judgment in escheat did not protect the appellant from the assertion by the owners of the property of their claims against the appellant, and that the statute un-

der which the judgment was entered was, therefore, unconstitutional.

3. That the shares of capital stock and the dividends declared upon the capital stock of the appellant, a New Jersey corporation, have no situs in the State of New Jersey for the purpose of escheat, and the statute, therefore, violated the due process clause and the provision against impairment of contracts contained in the Constitution of the United States.

4. That the statute, while attempting to deprive the claimants of their remedy against the appellant, did not afford to the claimants an adequate substitute remedy; that thereby obligation of contracts was impaired, in violation of the Constitution of the United States, and, therefore, the statute was invalid.

Statement of Grounds Making Against Jurisdiction

Although the appellant had raised federal questions in a formal manner, those questions have already been decided by the Supreme Court of the United States in earlier cases, so that the questions relied upon by the appellant are not now substantial in character, and leave no room for real controversy.

1. The appellant does not, as we understand it, complain that the notice as actually published was insufficient and did not constitute due process, but that the statute which prescribed that the notice be published did not set out in detail all the elements of the notice and that the statute, rather than the notice, therefore, did not constitute due process.

We take it that the actual notice, rather than the general language of the statute, should be considered in applying

the test of due process. The Supreme Court so applied it it and held that the notice did constitute due process.

We think that the language used by this Court in the very recent case of *Mullane* v. *Central Hanover Bank and Trust Company*, 339 U. S. 306, 94 L. Ed. 978, controls the situation here. The property sought to be escheated is that of persons whose addresses and whereabouts are unknown. Consequently, no notice other than publication could be given as a practical matter. The provision that this notice, containing the names and description of the property, be published for three weeks in a newspaper, in this case of very wide circulation, gave a claimant practically a month in which to appear and file his claim. The actual time in this case between the publication of the notice and the date of the hearing was thirty-three (33) days. Since no other method of calling attention affecting the property of the unknown owners was possible as a practical matter, we submit that the notice was sufficient and conforms to the principle of the cases decided in this Court and the actual language employed by this Court in the *Mullane* v. *Central Hanover Bank and Trust Company, supra.*

The adequacy of the notice prescribed by the New Jersey statute is established by a long line of cases.

In *International Shoe Co.* v. *Washington*, 326 U. S. 310, 319, 90 L. Ed. 95, 104, it is said:

> "Whether due process is satisfied must depend rather upon the quality and nature of the activity in relation to the fair and orderly administration of the laws which it was the purpose of the due process clause to insure."

In *Dent* v. *West Virginia*, 129 U. S. 114, 124, 32 L. Ed. 623, 626, the court said:

> "Legislation must necessarily vary with the different objects upon which it is designed to operate. It is

> sufficient, for the purpose of this case, to say that legislation is not open to the charge of depriving one of his rights without due process of law, if it be general in its operation upon the subjects to which it relates, and is enforceable in the usual modes established in the administration of government with respect to kindred matters, that is, by process or proceedings adapted to the nature of the case."

The principles stated above have been applied in the consideration of notice as constituting due process.

In *The Mary*, 13 U. S. (9 Cranch) 126, 144, 3 L. Ed. 678, 684, the court said:

> "Where these proceedings are against the person, notice is served personally, or by publication; where they are in rem, notice is served upon the thing itself."

It is the seizure of the thing that constitutes the notice. As stated in *Hollingsworth* v. *Barbour*, 29 U. S. (4 Pet.) 466, 475, 7 L. Ed. 922, 926:

> "The law regards the seizure of the thing as constructive notice to the whole world, and all persons concerned in interest are considered as affected by this constructive notice."

In the instant case, seizure of the rest was effected by service upon the appellant. As said in *Security Savings Bank* v. *California*, 263 U. S. 282, 287, 68 L. Ed. 301, 307:

> "Seizure of the deposit is effected by the personal service made upon the bank. Thereby the res is subjected to the jurisdiction of the court."

Pennoyer v. *Neff*, 95 U. S. 714, 727, 24 L. Ed. 565, 570, declares:

> "The law assumes that property is always in the possession of the owner, in person or by agent; and it proceeds upon the theory that its seizure will inform

him, not only that it is taken into the custody of the court, but that he must look to any proceedings authorized by law upon such seizure for its condemnation and sale."

The question of the sufficiency of notice in connection with the escheat of deposits in national banks was discussed in *Anderson National Bank* v. *Luckett*, 321 U. S. 233, 243, 88 L. Ed. 692, 703, where it was said:

> "The statute itself is notice to all depositors of banks within the state, of the conditions on which the balances of inactive accounts will be deemed presumptively abandoned, and their surrender to the state compelled. All persons having property located within a state and subject to its dominion must take note of its statutes affecting the control or disposition of such property and of the procedure which they set up for those purposes."

The notice in that case was by posting on the court house door, and was held to comply with the requirements of due process. The court said further (245):

> "In all such proceedings the seizure of the property is in itself a form of notice of the claim asserted, to those who may claim an interest in the property. See Corn Exchange Bank vs. Coler, 280 U. S. 218, 74 L. Ed. 378, 50 S. Ct. 94, holding constitutional a statute providing for no notice to the owner of a bank deposit other than its seizure."

In *Security Savings Bank* v. *California*, *supra*, cited and followed in the *Luckett* case, it is said (287):

> "In either case (whether the proceedings should be described as being in rem or quasi in rem) the essentials of jurisdiction are that there be seizure of the rest at the commencement of the suit; and opportunity to be heard. These requirements are satisfied by the procedure prescribed in the statutes of California. There

is a seizure or its equivalent. And the published summons to the depositors named as parties defendant is supplemented by the notice directed to all claimants whatsoever."

The procedure in the *California* case was substantially the same as in the present *New Jersey* case. The principles of law have been declared, and no substantial question now exists.

The appellant asserts that the order fixing the time and place of final hearing does not contain the name of any claimant or describe the property, and that it does not refer to the character of the proceeding. The appellant then states that a summary of the order is all that the statute requires to be published, and then concludes that the statute fails to provide due process.

In order that there may be no misconception of the nature of the order, and the publication made in compliance with the order, a copy of the order, which appears on page 53a of the printed record below is hereao attached, as "Exhibit 1", and a copy of the publication of the notice of the order fixing a time and place of hearing, which appears on page 55a of the printed record below, is hereto attached, as "Exhibit 2".

A reading of the order and of the publication of notice indicates the frivolous nature of the assertion made by the appellant as to the adequacy of the notice prescribed by the statute.

The appellant complains that the statute did not require that the publication of notice be addressed to the claimants, although the publication itself did contain the names. It is sufficient to point out that in *Mullane v. Central Hanover Bank & Trust Company, supra,* where the statute provided for notice by publication, this was held to be adequate, even though the statute in that case provided that

the notice be addressed to the claimants generally "without naming them", and the publication itself did not name them. The court said:

> "We overrule appellant's constitutional objections to published notice insofar as they are urged on behalf of any beneficiaries whose interests or addresses are unknown to the trustee."

It is submitted that the statements of principles made in the foregoing case make it unnecessary that the adequacy of notice by publication in escheat proceedings be reviewed again.

2. The appellant's next ground is that the judgment in escheat did not protect the defendant corporation from the assertion, by the owners of the property, of their claims against it.

The decisions of the Supreme Court of the United States have established that the law is to the contrary.

As said in *Issacs v. Hobbs*, 282 U. S. 734, 738, 75 L. Ed. 645, 666:

> "The court originally acquiring jurisdiction is competent to hear and determine all questions respecting title, possession and control of the property * * *."

The trial court in the present case had jurisdiction by virtue of the service of the petition in escheat upon the appellant corporation. *In Security Savings Bank v. California*, 263 U. S. 282, 287, 68 L. Ed. 301, 307, the court said:

> "Seizure of the deposit is effected by the personal service made upon the bank. Thereby the res is subjected to the jurisdiction of the court."

In *Williams v. Armroyd*, 11 U. S. 423, 432, 3 L. Ed. 392, 395, the court said:

> "The sentence of a competent court, proceeding in rem, is conclusive with respect to the thing itself, and

operates as an absolute change of the property. By such sentence, the right of the former owner is lost, and a complete title given to the person who claims under the decree. No court of coordinate jurisdiction can examine the sentence."

Similarly, in *Hilton* v. *Guyot*, 159 U. S. 113, 168, 40 L. Ed. 95, 110, the court declared:

"Other judgments, not strictly in rem, under which a person has been compelled to pay money, are so far conclusive that the justice of the payment cannot be impeached in another country, so as to compel him to pay it again."

That the payment by the appellant to the State of New Jersey under the escheat decree discharges it from any obligation to pay again is clear. In *Canada Southern R. R. Co.* v. *Gebhard*, 109 U. S. 527, 537, 27 L. Ed. 1020, 1024, it is said:

"Anything done at the legal home of the corporation, under the authority of such laws (of the state of incorporation) which discharges it from liability there, discharges it everywhere."

In *Security Savings Bank* v. *California*, 263 U. S. 282, 286, *supra*, the court said:

"If the deposit is turned over to the state, in obedience to a valid law, the obligation of the bank to the depositor is discharged. It is no concern of the bank's whether the state receives the money merely as a depositary or takes it as an escheat."

And in *Anderson National Bank* v. *Luckett*, 321 U. S. 233, 242, 88 L. Ed. 692, 702, the court said:

"Since the bank is the debtor to its depositors, it can interpose no due process or contract clause objection

to the payment of the claimed deposits to the State, if the State is lawfully entitled to demand payment, for in that case payment of the debt to the State, under the statute, relieves the bank of the liability to its depositors."

The statement of the principle in the above cases finds expression in the New Jersey statute, which declares that the decree in escheat shall discharge the appellant from any claim by the former owners.

It is a matter of common learning that an action by an owner of stock against his corporation would have to be of a possessory (replevin) or of an equitable nature. Neither of such actions could be maintained against the corporation in a foreign jurisdiction and if the owner was thereby compelled to bring his action in New Jersey, which is the home of the defendant corporation, and under whose laws it exists, then the defendant could plead the judgment of the New Jersey Courts and this would be a complete answer to the peril of a suit.

We may point out that the situation raised here under this Escheat Act puts the defendant corporation, which is not the rightful owner of this property, in the same position as a defendant in an interpleader. Its sole responsibility is to turn over to the Court that which is not its property but is the property of another for disposition by the court in accordance with the laws of New Jersey.

We think that, under the long line of decisions in this court, no substantial question is raised here.

3. The appellant's next question is as to whether shares of the capital stock of a New Jersey corporation and dividends declared upon such stock constitute property within the State, where the last known owners of the shares of stock were not residents of the State of New Jersey.

It has long been settled that the State of incorporation has jurisdiction over the shares of stock and the dividends declared thereon.

In *Corry* v. *Baltimore*, 196 U. S. 466, 476, 49 L. Ed. 556, 562, it was stated:

> "The sovereignty which creates a corporation has the incidental right to impose reasonable regulations concerning the ownership of the stock therein."

In *Tax Commission* v. *Aldrich*, 316 U. S. 174, 180, 86 L. Ed. 1358, 1370, the court said:

> "The corporation owes its existence to Utah. Utah law defines the nature and extent of the shareholders' interest in the corporation. Utah law affords protection for these rights. Utah has power over the transfer by the corporation of its shares of stock."

In *Schuylkill Trust Co.* v. *Pennsylvania*, 302 U. S. 506, 516, 82 L. Ed. 392, 398, it is stated:

> "The shares represent a property interest, an aliquot proportion of the whole corporate assets. The shareholders, whether domestic or foreign, depend for the preservation and protection of this property upon the law of the state of the corporation's domicile. The property right so represented is of value, arises where the corporation has its home, and is, therefore, within the taxing jurisdiction of the state * * *."

In *Northwest Airlines* v. *Minnesota*, 322 U. S. 292, 294, 88 L. Ed. 1283, 1285, the court, discussing the source of the power of the State of Minnesota to tax property owned by a Minnesota corporation, said:

> "The relation between Northwest (the corporation) and Minnesota—a relation existing between no other State and Northwest—and the benefits which this relation affords are the constitutional foundation for the taxing power which Minnesota has asserted * * *

> No other State is the State which gave Northwest the power to be as well as the power to function as Northwest functions in Minnesota; no other State could impose a tax that derives from the significant legal relation of creator and creature and the practical consequences of that relation in this case."

While the rights and obligations arising from the issuance of stock by a corporation and the declaration of dividends on a corporation's stock are not founded on contract, nevertheless decisions as to the control of a state over obligations of a corporation chartered under the laws of that state are equally apt as to shares of stock and dividends declared on stock of such a corporation.

In *Blackstone* v. *Miller*, 188 U. S. 189, 205, 47 L. Ed. 439, 445, it is said:

> "It is plain that the transfer (of a deposit in a New York bank, upon the death of a depositor domiciled in Illinois) does depend upon the law of New York, not because of any theoretical speculation concerning the whereabouts of the debt, but because of the practical fact of the power over the person of the debtor. This principle has been recognized by this court with regard to garnishments of a domestic debtor of an absent defendant. What gives the debt validity? Nothing but the fact that the law of the place where the debtor is will make him pay * * *
>
> "Power over the person of the debtor confers jurisdiction."

In *Pennington* v. *Fourth National Bank*, 243 U. S. 269, 271, 61 L. Ed. 713, 715, it is stated:

> "The Fourteenth Amendment did not, in granting due process of law, abridge the jurisdiction which a State possessed over property within its borders, regardless of the residence or presence of the owner. That jurisdiction extends alike to tangible and intangible property. Indebtedness due from a resident to a

non-resident—of which bank deposits are an example—is property within the State."

See also *Security Savings Bank* v. *California*, 263 U. S. 282, 68 L. Ed. 301, and *Anderson National Bank* v. *Luckett*, 321 U. S. 233, 88 L. Ed. 692.

4. The appellant asserts that the New Jersey statute, while attempting to deprive the claimants of their remedy against appellant, did not afford to the claimants an adequate substitute, and that thereby the obligation of contracts was impaired.

The New Jersey statute provides that any person whose property has escheated to the State may, within two (2) years after the filing of the final decree in the Court of Chancery, apply to the said court to reopen the decree, and upon proof of lack of actual knowledge of the escheat proceedings and on proof of ownership, the court may reopen the decree and direct the State Treasurer to repay the escheated moneys to the claimant, less the expenses and charges accrued or paid out by reason of the entry of the original decree.

This provision is similar to that in the Pennsylvania statute (where the period given to claimants was three (3) years), held to be valid in *United States* v. *Klein*, 303 U. S. 276, 82 L. Ed. 840, 58 S. Ct. 536, and in *United States* v. *Klein*, 106 F. 2d 213, certiorari denied, 308 U. S. 618, 84 L. Ed. 517, 60 S. Ct. 295; to the provision in the California statute (where the period given to the claimant was five (5) years), held valid in *Security Savings Bank* v. *California*, *supra;* to the provision in the Kentucky statute (where the claimant was given a period of five (5) years to file claim against the state), held valid in *Anderson National Bank* v. *Luckett, supra.*

See also *Gorny v. Trustees of Milwaukee County Orphans Board*, 93 F. 2d 107, where the Wisconsin statute was held to be valid even though the claimant was given no substitute remedy against the state; certiorari denied, 305 U. S. 559, 82 L. Ed. 1527; motion for rehearing denied, 305 U. S. 576, 83 L. Ed. 362.

This ground is no longer a substantial one.

We submit that the questions presented in this appeal have long ago been so definitely determined by the Supreme Court of the United States that no substantial question is presented by this appeal entitling appellant to invoke the jurisdiction of the Supreme Court of the United States.

MOTION TO AFFIRM OR DISMISS

Wherefore, Appellee respectfully moves that the within appeal be dismissed or that the judgment of the Supreme Court of New Jersey be affirmed.

Theodore D. Parsons,
Attorney General of the State of New Jersey.
Emerson Richards,
Deputy Attorney General.

EXHIBIT 1

ORDER FIXING TIME AND PLACE OF FINAL HEARING

(Filed March 21, 1949)

And now, this 21st day of March, 1949, upon motion of Emerson Richards, Deputy Attorney General of the State of New Jersey and Attorney for petitioner,

It is ordered that a hearing upon the petition heretofore filed in this cause be fixed for the 27th day of April, 1949, at 10:00 o'clock A. M., at the Court Room, State House Annex, Trenton, New Jersey, and

It is further ordered that notice of the time and place of final hearing be given by petitioner, in accordance with the provisions of R. S. 2:53-21, by advertising in a newspaper of general circulation in Mercer County once a week for three (3) successive weeks, addressed to and containing the last known names and addresses of the persons or corporations apparently having unclaimed beneficial interest in, or ownership of, the personal property sought to be adjudged to escheat to the State in this cause, and directing that any of the said persons or corporations or any other person or corporation claiming a beneficial interest in, or ownership of, the personal property or any part of the personal property mentioned in the petition, shall file with the Court his or its claim in writing, at least five (5) days prior to the date fixed for the hearing, provided however, that in the event the value of the personal property of any one apparent owner is less than Fifty ($50) Dollars, the advertisement need not contain the name or address of such person or corporation.

(S.) WILFRED H. JAYNE,
Judge, S. C.

EXHIBIT 2

AFFIDAVIT OF PUBLICATION

(Filed April 20, 1949)

STATE OF NEW JERSEY,
Mercer County, ss:

SUPERIOR COURT OF NEW JERSEY, CHANCERY DIVISION,
MERCER COUNTY

Docket 169/14

THE STATE OF NEW JERSEY, by Theodore D. Parsons, Attorney General of New Jersey, *Plaintiff*,

vs.

STANDARD OIL COMPANY, *Defendant*

Civil Action

NOTICE OF ORDER FIXING TIME AND PLACE OF HEARING

Notice is hereby given to the persons named below, and to any other person or corporation claiming a beneficial interest in or ownership of, the personal property described below, that the Superior Court of New Jersey, Chancery Division, has fixed a date for final hearing for Wednesday, the 27th day of April, 1949 at 10 o'clock A. M., in the Court Room, State House Annex, Trenton, New Jersey, on the petition for escheat to the State of New Jersey of moneys and personal property, consisting of shares of stock of the above-named company, dividends declared upon the shares of stock of the said company, bond and debentures issued by the said company, interest and coupons on bonds and debentures issued by the said company, deposits made with the said company on account of liberty bond subscriptions, unpaid wages and other personal property held by, in the

possession of or owing by the said company, the owners or beneficial owners of, or persons entitled to, such personal property having been and having remained unknown for the period of fourteen (14) successive years prior to the filing of said petition, or the whereabouts of such former owners or beneficial owners, or persons entitled, having been and having remained unknown for the period of fourteen (14) successive years prior to the filing of the said petition, or such property having remained unclaimed for the period of fourteen (14) successive years prior to the filing of the said petition, and including the following:

Joseph F. Cormore
Rm. 912, 1 Exchange Place, N. Y. C.
Unclaimed Dividends $37.50

Arturo Fernandez
Calle 56 No. 486 Merida, Yuc., Mexico
Unclaimed Dividends $66.15
and 4 shares Common stock

Mrs. Eleanor C. Hildebrand
% Union & Planters Bank & Trust Co.,
Memphis, Tenn.
Unclaimed Dividends $37.50

Albert J. Kalmary
212 Freeman St., N. Y. C.
Unclaimed Dividends $25.00

Robert E. L. Night, Jr.
% American Exchange National Bank,
Dallas, Texas
Unclaimed Dividends $50.00

Richard C. Kroggel
149 15th St., Wheeling, W. Va.
Unclaimed Dividends $25.00

Mrs. Janice A. Patterson
1673 Columbia Rd., Wash., D. C.
Unclaimed Dividends $36.34

Joseph B. Webster
325 Lake St., River Forest, Ill.
Unclaimed Dividends $37.47
and 3 shares Common stock

Mrs. Emma Westenhaver
Logan, Ohio
Unclaimed Dividends $25.00

Mrs. Elizabeth A. Donovan Duffley
Hotel Biltmore, 43rd St. &
Madison Ave., N. Y. C.
Unclaimed Dividends $52.50

Mrs. Anne W. Geigerman
Sherman Square Hotel, Broadway
& 70th St., N. Y. C.
Unclaimed Dividends $43.75

Jacob J. Hawes
101 E. 41st St., Kansas City, Mo.
Unclaimed Dividends $35.00

Miss Frances E. Beaudett
86 Woodside Terrace, Springfield, Mass.
1 share Common stock
Unclaimed Dividends $7.47

Mrs. Christina Bolton
106 Bogard St., Charleston, S. C.
1 share Common stock
Unclaimed Dividends $15.27

Douglas Clark
648 Maple Avenue, Elizabeth, N. J.
1 share Common stock
Unclaimed Dividends $4.72

Eugene Denos
342 W. 22nd St., N. Y. C.
3 shares Common stock
Unclaimed Dividends $11.17

John P. Hale
15 Claremont Ave., N. Y. C.
5 shares Common stock
Unclaimed Dividends $4.87

Walter E. Johnson
36 Irving St., West Springfield, Mass.
1 share Common stock
Unclaimed Dividends $11.50

Leopold T. Sanchez
Calle De Bucarelli No. 41, Mexico
5 shares Common stock
Unclaimed Dividends $1.88

William T. Sanders
1208 Kearney Stores, Manhattan, Kan.
1 share Common stock
Unclaimed Dividends $1.22

Mrs. Agnes S. Thompson, Route 1,
Box 256, Watsonville, Calif.
1 share Common stock
Unclaimed Dividends $3.22

The said petition is on file in the Office of I. Grant Scott, Esq., Clerk of the Superior Court of New Jersey, and is open to the examination of any party in interest.

Any person who may claim to be entitled to the personal property mentioned in the petition, or to any part thereof or interest therein, shall file with the Court his claim, in writing, at least five (5) days prior to the day fixed for the hearing. Unless cause to the contrary is shown, a decree of escheat may be entered.

March 21, 1949.

EMERSON RICHARDS,
Deputy Attorney General of the
State of New Jersey,
800 Schwehm Building,
Atlantic City, N. J.

Fee $70.65 3|28; 4|4-11 Times

ALICE G. BARRY being duly sworn according to law, on her oath says that she is Bookkeeper for The Trenton Times

(Inc.), publishers of The Trenton Evening Times, a newspaper printed and circulated in the City of Trenton, in the County and State aforesaid, and the deponent further states she has personal knowledge that an advertisement, of which the annexed is a true copy, was published in the issues of March 25; April 4-11, 1949.

ALICE G. BARRY.

Sworn and subscribed before me this 11th day of April, 1949.

ANN M. HOPKINS,
Notary Public for N. J.

(1139)